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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/750,500

12/28/2000

Marc Epstein

300/1

6952

27538 7590 07/15/2009

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EXAMINER

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ART UNIT

PAPER NUMBER

2457

MAIL DATE

DELIVERY MODE

07/15/2009

PAPER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/750,500
Filing Date: December 28, 2000
Appellant(s): EPSTEIN ET AL.

Leslie Garmaise (Reg. No. 47,587)
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed March 31, 2009 appealing from the Office action mailed Sep. 23, 2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

Erpeldinger, U.S. Patent No. 6,557,169, Published April 29, 2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

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Claims 40-45, 47-56 and 58-67 are rejected under 35 U.S.C. 102(e) as being anticipated by Erpeldinger, U.S. Patent No. 6,557,169.

As to claims 40 and 51, Erpeldinger teaches a method and apparatus for a service provider to provide services to a plurality of client computers, comprising:

providing a first set of services on a first set of one or more servers of the service provider to the plurality of client computers by providing secure access to the first set of one or more servers by the plurality of client computers, but prohibiting secure access to the plurality of client computers by the first set of one or more servers (see col. 1 lines 22-32); and

providing a second set of services on a second set of one or more servers of the service provider to the plurality of client computers by providing secure access to the plurality of client computers by the second set of one or more servers, but prohibiting secure access to the second set of one or more servers by the plurality of client computers (see col. 2 lines 65-col. 3 lines 22).

As to claims 41 and 52, Erpeldinger teaches the method and apparatus of claims 40 and 51 wherein said first set of one or more services comprise data services (see col. 1 lines 22-32).

As to claims 42 and 53, Erpeldinger teaches the method and apparatus of claims 41 and 52 wherein said second set of one or more services comprise management and configuration services (see col. 2 lines 2 lines 65-col. 3 lines 22).

As to claims 43 and 54, Erpeldinger teaches the method and apparatus of claims 41 and 52 wherein said first set of services comprises at least one service selected from

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the group consisting of: virus protection services, remote access, backup, software sharing, and telephony services (see col. 1 lines 22-32).

As to claims 44 and 55, Erpeldinger teaches the method and apparatus of claims 42 and 53 wherein said second set of services comprises at least one service selected from the group consisting of: security, password management, software updates, software distribution, and access control (see col. 2 lines 2 lines 65-col. 3 lines 22).

As to claims 45 and 56, Erpeldinger teaches the method and apparatus of claims 40 and 51 further comprising: preventing any said client computer network from securely accessing resources in any other said client computer network (see col. 2 lines 2 lines 65-col. 3 lines 22).

As to claims 47 and 58, Erpeldinger teaches the method and apparatus of claims 40 and 51 further comprising: preventing any said client computer from securely accessing resources in said second set of one or more servers (see col. 2 lines 2 lines 65-col. 3 lines 22).

As to claims 48 and 59, Erpeldinger teaches the method and apparatus of claims 42 and 53 further comprising: preventing said first set of one or more servers from securely accessing resources in said second set of one or more servers (see col. 2 lines 2 lines 65-col. 3 lines 22).

As to claims 49 and 60, Erpeldinger teaches the method and apparatus of claims 42 and 53 wherein said first set of one or more servers providing said data services and said second set of one or more servers providing said management and configuration services are separate (see col. 2 lines 2 lines 65-col. 3 lines 22 and col. 1 lines 22-32).

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As to claims 50 and 61, Erpeldinger teaches the method and apparatus of claims 40 and 51 further comprising: connecting said first set of one or more servers to at least one of the group consisting of: the Internet, a public switched telephone network, and a data network (see col. 2 lines 55-62).

As to claim 62, Erpeldinger teaches a method for a service provider to provide services to a plurality of client computers, the method comprising:

separating the services provided by the service provider into a first group of services provided by a first group of one or more servers of the service provider, and a second group of services provided by a second group of one or more servers of the service provider (see col. 1 lines 22-32);

providing the first set of services from the first set of servers through a one-way trust connection from the first set of servers to the client computers (see col. 1 lines 22-32); and

providing the second set of services from the second set of servers to the client computers through a one-way trust connection from the client computers to the second set of servers (see col. 2 lines 65-col. 3 lines 22).

As to claim 63, Erpeldinger teaches the method of claim 62 further comprising:

preventing any said client computer from gaining secure access to any other said client computer (see col. 2 lines 65-col. 3 lines 22).

As to claim 64, Erpeldinger teaches the method of claim 62 wherein said first set of services comprises at least one service selected from the group consisting of: virus

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protection services, remote access, backup, software sharing, and telephony services (see col. 1 lines 22-32).

As to claim 65, Erpeldinger teaches the method of claim 62 wherein said second set of services comprises at least one service selected from the group consisting of: security, password management, software updates, software distribution, and access control (see col. 2 lines 65-col. 3 lines 22).

As to claim 66, Erpeldinger teaches a method for providing services from a service provider to a plurality of client computers, the method comprising:

enabling a first set of services on a first set of servers of the service provider through a one-way trust connection from the first set of servers to the plurality of client computers (see col. 1 lines 22-32);

enabling a second set of services on a second set of servers of the service provider to the plurality of client computers through a one-way trust connection from the client computers to the second set of servers (see col. 2 lines 65-col. 3 lines 22); and

providing the first and second sets of services (see col. 2 lines 65-col. 3 lines 22).

As to claim 67, Erpeldinger teaches a system for providing services to a plurality of client computers, the system comprising:

a first set of servers for providing a first set of services to the plurality of client computers through a one-way trust relationship from the first set of servers to the plurality of client computers (see col. 2 lines 65-col. 3 lines 22); and

a second set of servers for providing a second set of services to the plurality of client computers through a one-way trust relationship from the plurality of client computers to the second set of servers (see col. 2 lines 65-col. 3 lines 22).

(10) Response to Argument

As per appellants arguments filed March 31, 2009, the appellant argues that Erpeldinger does not disclose prohibiting secure access to the plurality of client computers by the first set of one or more servers and a one way trust from first set to the plurality of clients (see brief page 12 lines 9-17 and page 14-15, argument A).

In reply to A, Erpeldinger teaches a system and method that includes different sets of servers. The servers include a data service, wherein the data services include services such as e-mail, software distribution and printing services (see col. 1 lines 22-32). Claim 42 of the application defines the first set of servers as "remote access or software sharing" services. Therefore examiner interprets the e-mail service which are remote access services of Erpeldinger to be the claimed "a first set of services".

Email systems inherently, whether webpage email system such as hotmail or yahoo mail or POP email system, authenticate a user to provide access to an email account on the email server. The email server has no access to the client computer accessing the email server. Therefore, when a client accesses an email server, the client accesses the email server through a one-way trust connection since the client may access the email server and wherein the email server may not access the client device. Therefore, the email service taught by Erpeldinger meets the scope of the claimed limitations "providing a first set of services through a one way trust connection".

In addition, throughout applicant's specification (page 2 lines 21-page 3 lines 15, page 4 lines 8-14, page 4 lines 20-page 5 lines 2 of applicant's specification), the applicant separates the first set of services and the second set of services on two separate set of servers to prohibit a client accessing a first service on a server from hacking or accessing a second service on the same server. Therefore the claimed "prohibiting secure access to the plurality of client computers by the first set of one or more servers" is achieved by simply separating the first and second set of services on two separate set of servers. Since Erpeldinger teaches an email/printing server which is separate from the software distribution server, then Erpeldinger teaches "prohibiting secure access to the plurality of client computers by the first set of one or more servers" and "prohibiting secure access to the second set of one or more servers by the plurality of client computers" as claimed.

The appellant argues that Erpeldinger does not disclose prohibiting secure access to the second set of one or more servers by the plurality of client computers and a one way trust connection from the client computer to the second set of servers (see brief page 12 lines 18-page 13 lines 10 and page 14-15, argument B).

In reply to B) Erpeldinger also teaches a server that provides a software distribution services where updates of software are distributed to clients (see col. 2 lines 65-col. 3 lines 22). Claims 44 of the application defines the second set of services as "software distribution software". Therefore, examiner interprets the software distribution server to be the claimed "second set of servers".

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The distribution server transfers a new operating system from the distribution server to the workstation. The new operating system is executed at the workstation. (see col. 2 lines 14-34 and col. 3 lines 66-col. 4 lines 36). There is no where in the reference that even suggests that the client/workstation is capable of accessing or even sending data to the distribution server. Since the workstation does not access the distribution server, then Erpeldinger teaches prohibiting secure access to the second set of one or more servers by the plurality of client computers as claimed. Also, since the distribution server is capable of accessing the workstation by sending and installing new operating system and since the workstation cannot access the distribution server, therefore Erpeldinger teaches "one way trust connection from the client computer to the second set of servers" as claimed.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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Patent Examiner

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Primary Examiner, Art Unit 2457

Conferees:

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